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DEFENDANTS WIN IN BIG TITLE CASE

Appeal Taken by Plaintiff, Who Files Suit in Another Court.

Judgment for the defendants on an instructed verdict by Judge Walthall was returned by a jury in the first district court Wednesday morning in the suit to try title action of Josephine Crosby vs. T. W. Ardo and brother. The verdict awards title to a 2300 acre tract of land near Fort Hancock to the defendants.

The plaintiff will appeal from the judgment and in addition has instituted suit in the 34th district court to try title for the same land, naming T. W. Ardo, Eli Ardo and Louis Wurzbach as defendants. The land is described as being the W. C. Stanley survey, No. 59.

The suit was called for hearing in the first district court on November 30, and the record is one of the most voluminous ever compiled in the first district court.

APODACA IS INDICTED
ON CHARGE OF MURDER

Indictments charging Francisco Apodaca with murder, Frank Williams with robbery by assault, and Jesus Ramirez with criminal assault, were returned by the grand jury at the Tuesday session.

The charge against Apodaca grows out of the death of C. C. Carpio, former constable at Socorro, who died as a result of a revolver wound received in a scuffle with Apodaca. A bullet from Carpio's revolver was responsible for his death.

PADILLO CHARGED WITH BURGLARY OF AMMUNITION

On a charge of burglary, Lasar Padillo, arrested Tuesday by the police, has been transferred to the county jail and a complaint filed against him in Justice McClintock's court. Padillo is alleged to have taken empty brass shells from the ammunition house of the El Paso Rifle Club.

TO BE TRIED IN COUNTY COURT.
Juan Muniz charged with carrying a dirk, will be given a hearing in county court, his case having been transferred

from the police court. Muniz was arrested late Tuesday by officers Cooper and Perez in the south part of the city.

TORRES AGAIN IN JAIL FATHER FAILS TO ARRIVE.

Antonio Torres, Jr., the young Mexican fined \$25 in police court on a charge of assault, has again been remanded to jail, his father, Col. Antonio Torres, of the Mexican regular army, having so far failed to arrive to take charge of the boy. Young Torres, upon being learned that he was well connected in Mexico, was taken off the rock pile and placed under a special guard, with whom he occupied rooms at a local hotel. It is probable that the father is detained on account of the trouble in Mexico.

ONE FINED FOR ASSAULT OTHER HAS BROKEN NOSE.

Louis Helgermaster, charged with assault on Juan Cano, pleaded guilty in Justice McClintock's court late Tuesday afternoon and was fined \$5 and costs, amounting to \$12. Both men are blacksmiths at the El Paso Foundry and Machine Works. Cano appeared in court with a broken nose. Bad blood has existed between the men for some time, it is said. The difficulty occurred Tuesday morning. Helgermaster was first charged with assault to murder, but the charge was reduced.

CHARGED WITH TAKING TEN BALES OF ALFALFA.

Informations charging Victor and Amedeo Gutierrez with burglary and the theft of 10 bales of alfalfa, have been filed in Justice Stacy's court. The Great Texas Oil company is the alleged loser by the deal. The two men are under arrest.

SUIT ON NOTE CALLED.

The case of T. B. Dockery against Richard Keys, suit on a note for \$1000 and interest, has been called for trial in the first district court.

DECLINES STATE JOB.

Austin, Texas, Dec. 14.—It is authentically reported that governor-elect Colquhoun received a letter from Murrell L. Buckner, of Dallas, in which he declined appointment as state fish and game commissioner.

Gift umbrellas, handsome ones, buy them at auction. Snyder Jewelry Co.

RELEASE SUSPECTS EVIDENCE LACKING

Randolph and Myers Free. Bixler Will Be Sent to Douglas.

With the release of Charles Randolph and Clarence Myers from the county jail, and the expected release of George Bixler, the hopes of the city detective department to convict them of burglarizing the residence of A. H. Snyder, 900 Magoffin avenue, vanished. The residence was burglarized three weeks ago and jewelry valued at \$1400 taken.

Myers and Bixler were arrested in El Paso and Randolph was returned from Dalhart, Texas. The confessions said to have been made by Myers and Bixler were responsible for the arrest of Randolph. Bixler's father lives in Douglas, Ariz., and the boy will be released as soon as transportation to his home is received. Randolph, it is said, will return to his home in Ohio.

The evidence collected by the detective department was not judged sufficient by district attorney Howe to warrant a conviction.

INDIANS TO DEMAND RESTORATION OF LANDS

Douglas, Ariz., Dec. 14.—Jose Jimenez, chief of the Pima Indians of Pueblo Onavas, on the Yaqui river, will leave here to present an ultimatum to General Lorenzo, military commander of Sonora, now at Torin, according to a statement made here by the chief.

He says a demand will be made for the restoration of Indian lands, seven leagues square, which Jimenez alleges have been taken by commissioner Navarro in the district of Sahuaripa and given to others, although it is claimed the Indians hold titles dating back to the Spanish occupation.

Since 1876 this tribe have been used by the government against the Yaquis and as a result the original number of 6000 has been reduced to 500, although all are said to be armed.

JURY SECURED IN SUIT FOR BALDWIN MILLIONS

Los Angeles, Cal., Dec. 14.—The jury has been completed that will decide the rights of Miss Anna Baldwin Turnbull, 17-year-old daughter of Mrs. Lillian Ashley Turnbull, in the suit instituted to obtain two-thirds of the \$11,000,000 estate of the late horseman, E. J. Baldwin.

The taking of evidence will commence this afternoon and it is believed the mother will be the first witness.

SIX MEN ARE DROWNED WHEN LAUNCH STRUCK BY TURTLE

Seattle, Wash., Dec. 14.—A special from Marysville says that six men were drowned in the Snohomish river when a closed cabin launch turned turtle. There were 17 persons aboard. All but six were able to break through windows and climb to the upturned keel or reach shore.

NEW RESIDENCE BUILDING ON RIO GRANDE STREET

The Great Texas Realty company has commenced the construction of a \$5000 10 room brick residence on West Rio Grande street just west of North El Paso street.

EAST EL PASO IS TO HAVE ANOTHER RESIDENCE

The East El Paso Town company sold two lots in block 135 East El Paso to M. C. Fisher for \$225 Wednesday morning. Fisher will build a residence on the lots.

HOWARD BECOMES BANKRUPT

Wheeling, W. Va., Dec. 14.—John A. Howard, a Wheeling capitalist, and organizer of the Continental Telephone and Telegraph company, the \$25,000,000 dollar corporation that was formed to fight the Bell interests, has filed a voluntary petition in bankruptcy.

CHURCH INCORPORATES

Santa Fe, N. M., Dec. 14.—The First Baptist church of Dexter, Chaves county, has filed incorporation papers. The incorporators and trustees are: W. L. Nichols, Frank Frost, F. E. Hogan, M. L. Kuykendall and W. J. Caffall.

FARNSWORTH SCORES 100

Aaron H. Farnsworth, a railway mail clerk of the El Paso-Los Angeles division made 100 percent in a test of the Northern California route. He threw 895 cards in 40 minutes at the office of chief clerk David McKnight Tuesday afternoon.

Beautiful mesh bags—buy them at auction. Snyder Jewelry Co.

SCHOOL BOARD IS NOW SATISFIED

Mayor Declines to Increase Appropriation for School Maintenance.

"The appropriation by the city for the city schools will remain at \$135,000, notwithstanding the protests of the school board members who ask for an increase," said Mayor Kelly Wednesday morning.

The announcement followed a conference with school board members, which was arranged as a result of the school board meeting Monday night, when it was determined that the appropriation by the city and the receipt of \$46,000 state taxes would not be sufficient to support the schools. The school board's estimate of the cost of maintenance for 1910-1911 is \$212,000.

Members of the school board met with the city council late Tuesday afternoon to discuss the proposition, and it was decided by all that the appropriation is large enough. To give the schools an appropriation of \$135,000, several other city funds were decreased, the mayor said.

WATER PLANT WILL NOT BE REBUILT

City Council Will Merely Order Reconstruction of Present Plant.

"Repairing and rebuilding the mesa water pumping station building may be the order of the city council, rather than the construction of a new building," Mayor Kelly said Wednesday morning, following a trip of inspection with members of the council to the city's newly acquired property.

It is thought that by removing all wood used in the construction of the pumping station building, and laying a concrete floor, the insurance key rate may be reduced. Mayor Kelly, however, has stated that any necessary steps to secure a reduction in insurance rates will be taken.

TUCSON MAN PROMOTED BY S. P. INTERESTS

Tucson, Ariz., Dec. 14.—Ralph S. Stubbs, general freight and passenger agent of the Arizona Eastern, assistant general freight and passenger agent of the Southern Pacific, has been appointed general agent of the Harriman lines with offices in New York, in place of L. J. Spence, resigned. Stubbs is now in New York.

Joe Dunne has put down a 70 foot well on his property near Washington park, and has secured a superior quality of water therefrom.

A Day With DAYSEY MAYME

By FRANCES L. GARSIDE.

IN the morning she helped her father by writing a "business letter."

He wanted a market quotation on lumber, and she said she would write for him.

"Dear Mr. Smith, I have never met you, and you will think it somewhat in me to write without first being introduced, but since I have become a business woman I take many privileges I didn't presume to take in my girlhood days."

"I suppose your wife is busy getting ready for Christmas. I think the holidays are charming; the stores have so many pretty things for sale, and it takes business ability like mine to get seventeen presents with a five dollar bill."

"Father said I was to ask you something about lumber; I have forgotten just what, but you will understand. Please accept my wishes for a Merry Christmas. Write soon to your sincere friend."

"DAYSEY MAYME"

In the afternoon she played a game of bridge with three women, and in the two hours devoted to this pastime Daysey Mayme heard of nineteen of the finest surgeons in New York, and told of seven in the West who could carve beautifully. Daysey Mayme held up her end of the conversation bravely, and delayed playing thirty minutes while she related how a doctor once told her that her symptoms baffled medical science, and to have a doctor say that is going some.

Every time hearts were trumps, it reminded one woman of the trouble she had with her heart, which reminded the other players that lives and lungs are sometimes at stake in bridge. When the game was ended, the hostess served cake and tea.

"When I entertain those women," said Daysey Mayme, "I am going to carry the conversation scheme into the refreshments by serving giblets."

In the evening she entertained callers by showing them kodak pictures, the family photograph album having been taboed.

"This," she said, picking up a picture that looked like a storm at sea, "is me riding our old horse to pasture. Every one says it is good of me. No, that is not an airplane, it's mother feeding the chickens. This," picking up a picture that looked as if it might be a wash on the line, "is father gathering apples."

She closed the exhibit by showing a blur that might have been an Italian sunset, but that was really Daysey Mayme swinging in a hammock. "It is just fine," she said, "to take a kodak along on a Summer outing; it enables one to live on the dear days when Winter comes."

Visitors Welcome!

The Herald has provided a visitors' gallery especially for the pleasure and interest of its patrons. Come in any time between 12:30 p. m. and 4:30 p. m. and see the best equipped newspaper plant in the southwest.

The Big Press Runs Between 3:30 and 4:30

No Press Room Secrets About Herald Circulation.

Honest Statement of Well Known Citizen

Sometime ago I was troubled with my kidneys. I thought for sometime I was suffering with diabetes. I had severe pains in my back and hips. A friend recommended Dr. Kilmer's Swamp-Root and I decided to give it a trial. I purchased a bottle from a druggist and after taking a few doses, felt relieved. After taking several bottles the pain was entirely gone and I have not suffered the slightest since.

I cannot be too enthusiastic in my praise of this wonderful medicine and it gives me great pleasure to give my testimonial in regard to its merits.

Yours very truly,
J. B. ROUNDTREE,
Boston, Ga.

Witness,
E. C. MILLIGAN, JR.,
Notary Public,
T. Co., Ga.

Letter to Dr. Kilmer & Co., Binghamton, N. Y.

Prove What Swamp-Root Will Do For You.

Send to Dr. Kilmer & Co., Binghamton, N. Y., for a sample bottle. It will convince anyone. You will also receive a booklet of valuable information, telling all about the kidneys and bladder. When writing, be sure and mention The El Paso Daily Herald. Regular fifty-cent and one dollar size bottles for sale at all drug stores.

BIG DIFFERENCE IN TWO CONSTITUTIONS

(Continued From Previous Page.)

the constant discussion of pertinent problems of government, making unnecessary any appeal to party regularity or any fetish worship of a party name.

It may require one or two more general elections to settle the pending constitutional controversy in Great Britain, but one is not afraid to hazard the prediction that it will all be settled and forgotten long before the three-fourths of the states of the American union have got any action on their demand for a revision of the constitution to permit the direct election of United States senators. They do some things better in the Old Country.

Tomorrow — Passenger Steamboat Traffic.

Gift umbrellas, handsome ones, buy them at auction. Snyder Jewelry Co.

THE WEATHER.

Forecast.
For El Paso and vicinity: Tonight and Thursday, generally cloudy weather.

For New Mexico: Tonight and Thursday fair; not much change in temperature.

For West Texas: Tonight and Thursday, generally cloudy weather.

Local Office U. S. Weather Bureau.
El Paso, Tex., Dec. 14, 1910.

El Paso Readings.
Today. Yesterday.
6 a.m. 6 p.m.

Barometer (sea level) 30.22 30.30
Dry thermometer 55 45
Wet thermometer 37 39
Dew point 36 33
Relative humidity 91 61
Direction of wind S.E. E.
Velocity of wind 14 17
State of weather S'py. Cl'dy.

Rainfall last 24 hours. —
High temp. last 24 hours. 49
Low temp. last 24 hours. 28

JOHN S. BRAY.

John S. Bray, son of Mr. and Mrs. E. M. Bray, died at Essex Falls, New Jersey, on the 14th inst. The funeral announcement will be made later.

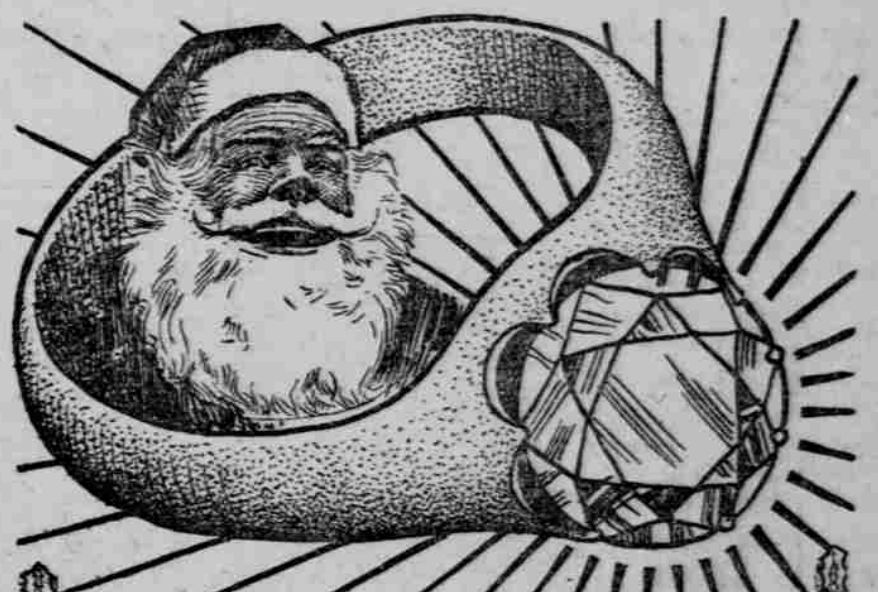
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DR. PRICE'S
DELICIOUS
Flavoring
Extracts

are natural flavors, obtained by a new process, which gives the most delicate and grateful taste.

Dr. Price's Favorings can be conscientiously commended as being just as represented, perfection in every possible respect. One trial proves their excellence.

Vanilla
Lemon
Orange
Rose



After All Is Said Your Best Gift Will Be

A Silberberg Diamond

We offer the largest stock of Blue White Stones to select from in the Southwest. Prices are lowest considering the character of stones offered.

Silberberg
TEXAS & MESA

The mere thought of buying a diamond should suggest Silberberg's.

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Watches

Whether it be a watch for a boy, girl, man or woman, the most satisfactory selection can be made here.

Out-of-Town Orders

Time is now limited, so we ask out-of-town people to send in their orders at once.

We prepay all express and mail on orders amounting to \$5. We guarantee satisfaction on every transaction.

Silberberg
TEXAS & MESA

STORE OPEN EVENINGS.

PARALLEL OF REYES EVENT

Havana, Cuba, Dec. 14.—The question whether Maj. Gen. Guerrero will attempt to continue in command of the army or accept from president Gomez a commission to go to Europe to study military tactics, continues a subject of general discussion.

President Gomez is reported to have said he was fully convinced that a movement was on foot against the administration and for this reason he reorganized a majority of the troops from Camp Columbia, and decided to send Guerrero abroad.

We will put up at auction any article you select. Snyder Jewelry Co.

Listen! Buy Yourself a Christmas Present

There is no reason why you should not give your friends a warm welcome when Stoves are as cheap as the prices we are now making. Whether it's a Range, Cook Stove or Heater we have it in guaranteed quality. Just take a look.

Save \$10.25

Six hole range with duplex grate, high closet, full nickel trimmed, large oven, asbestos lined; a guaranteed baker and fuel saver; \$35.00 value;

special on sale \$24.75

Coal Cook Stove, 14-in. oven, dump flat grate, pouch feed, deep ash pit, a perfect stove in a \$10.00 value;

special on sale \$7.75

Trilby Heaters, made for coal, shaking grate, ash pan, nickel foot rest, nickel-plated vase; a real parlor heater for only

\$5.75

\$25.00 China closet in golden oak, bent glass ends, extra large size; special, 3 days

\$18.50

Ladies' Desks in all finishes and styles, priced from

\$30.00 down to \$5.75



Doll Go-Carts

The Children's Collapsible Doll Go-Carts are going fast, but we still have a good assortment and can make

Doll Cart, without Hood \$1.75

Doll Cart, with Hood \$2.25

Doll Cart, with Hood and rubber tires \$3.25

Why Not Make a Present of a Good Extension Table?

EXTRA SPECIAL

Extension Table, six feet long, with square bolted legs, will seat eight people comfortably, nicely finished in American quartered oak; extra special

on sale \$6.75

Golden Oak Dining Chairs, cobbler seat, T-bolt, very strong, extra special

\$1.10

Tomorrow Only

Brass Beds, a regular \$22.50 value, tomorrow only

\$12.75

Buy good furniture and please the whole family with your gifts. Come and see us. We can please you.

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108, 110, 112 North Stanton Street

See our windows—

One look will convince you that our store is headquarters for Xmas Gifts. Hundreds of useful articles to select from with prices to suit any pocketbook.

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